



Order Filed on October 27,
2017 by Clerk, U.S. Bankruptcy
Court - District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

RABINOWITZ, LUBETKIN & TULLY, LLC

293 Eisenhower Parkway, Suite 100

Livingston, NJ 07039

(973) 597-9100

Barry J. Roy

Counsel to Jay L. Lubetkin,

Chapter 7 Trustee

In re:

IBARI ANAELE,

Debtor.

Case No. 16-29746 (SLM)

Chapter 7

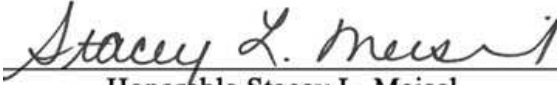
Honorable Stacey L. Meisel

**ORDER APPROVING THE TRUSTEE'S SALE
OF THE BANKRUPTCY ESTATE'S INTEREST IN REAL PROPERTY
LOCATED AT 336 ELIZABETH STREET, ORANGE, NEW JERSEY, FREE
AND CLEAR OF LIENS, CLAIMS AND INTERESTS PURSUANT TO 11 U.S.C. §
363(b), (f) AND (m) TO LESHIA JOHNSON FOR THE SUM OF \$180,000.00**

The relief set forth on the following pages, numbered two (2) through five (5), is hereby

ORDERED

DATED: October 27, 2017


Honorable Stacey L. Meisel
United States Bankruptcy Judge

Debtor: Ibari Anaele

Case No.: 16- 29746 (SLM)

Caption of Order: ORDER APPROVING SALE OF BANKRUTPCY ESTATE'S
INTEREST IN REAL PROPERTY LOCATED AT 336 ELIZABETH STREET, ORANGE,
NEW JERSEY TO LESHIA JOHNSON FOR THE SUM OF \$180,000

THIS MATTER having been opened to the Court by Rabinowitz, Lubetkin & Tully, LLC, counsel for Jay L. Lubetkin, Chapter 7 Trustee (the “Trustee”) for Ibari Anaele (the “Debtor”), upon motion for entry of an Order approving the Trustee’s sale of the bankruptcy estate's interest in real property located at 336 Elizabeth Street, Orange, New Jersey (the “Property”) to Leshia Johnson (the “Buyer”), or her assignee, free and clear of liens, claims and interests, if any, pursuant to 11 U.S.C. § 363(b), (f), and (m) for the sum of \$180,000.00 (the “Motion”); and notice having been provided to, among others, the Buyer, the Buyer's counsel, Bajurto, Bajurto's counsel, if any, Clerk of Essex County, Essex County Register of Deeds and Mortgages, Office of the Public Defender, Lillian Zhang, the Office of the United States Trustee, Essex County Child Support, the State of New Jersey, the Internal Revenue Service, Clerk of the Borough of Orange, Tax Assessor of the Borough of Orange, Tax Collector of the Borough of Orange, creditors and other parties-in-interest; and the Court having considered the pleadings filed by the Trustee in support of the Motion, and opposition thereto, if any; and the Court having heard oral argument of the Trustee’s counsel in support of the Motion, and opposition thereto, if any; and for other good cause having been shown,

^ as set forth herein

IT IS ORDERED that the Motion is granted ~~in all respects~~; and it is further

ORDERED that Trustee is authorized and directed to sell the bankruptcy estate's rights, title and interest in the Property to the Buyer for the sum of \$180,000.00 (the “Sale Price”) free

Debtor: Ibari Anaele

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and clear of liens, claims and interests, if any, pursuant to 11 U.S.C. § 363(b), (f), and (m); and it is further

ORDERED that at the closing of the sale of the Property, the Trustee will receive all of the sale proceeds and deposit them into his Trustee's account; and

ORDERED that the Trustee be and hereby is authorized to satisfy any and all closing costs, tax sale certificates, outstanding real estate taxes, judgment liens, brokers' fees and municipal liens, if any, from the proceeds of the sale being held in his Trustee's account without further Order of the Court; and it is further

ORDERED that the Trustee is authorized to execute any and all documents necessary to effectuate the sale to the Buyer; and it is further

ORDERED that the Trustee is selling the bankruptcy estate's interest in the Property "AS IS" and "WHERE IS" without any representations of any kind as to the condition of title or tenancies, except that the Trustee shall convey a Trustee's deed to the Buyer; and it is further

ORDERED that the Trustee is exempt from all real estate transfer taxes customarily paid by the seller of real estate imposed by the State of New Jersey in connection with the recording of the deed; and it is further

ORDERED that the Clerk of Essex County shall record the Trustee's Deeds executed in connection with the sale of the Property without the necessity of collecting any real estate transfer taxes or other fees; and it is further

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ORDERED that the Buyer is deemed to be good faith purchasers pursuant to 11 U.S.C. § 363(m); and it is further

ORDERED that the stay provision under Fed. R. Bankr. P. 6004(g) be and hereby is waived and therefore inapplicable to this sale; and it is further

ORDERED that the Agreement of Sale, and any amendments thereto, be and hereby are approved in their entirety; and it is further

ORDERED that the Debtor and Denis Bajurto are directed to cooperate with the Trustee, to execute any and all documents necessary to effectuate the sale to the Buyer; and it is further

ORDERED that the total amount to be deducted from Bajurto's share of the sale proceeds and correspondingly added to the Trustee's share of the sale proceeds is \$23,545.29, which comprises the following: (1) \$5,400 to repay loan; (2) \$12,743.29 in unpaid child support; (3) \$3,750 in equitable distribution; and (4) \$1,652 on account of unspecified child support payments for their children; and it is further

ORDERED that the Trustee and Bajurto shall be responsible for payment of any broker's commission due and owing to Jordan Baris, Inc., which shall deducted from the gross sale proceeds, and paid to Jordan Baris, Inc. from the Trustee's account subsequent to closing; and it is further

ORDERED that the Bankruptcy Court shall retain jurisdiction over any and all claims

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and disputes herein.

Certificate of Notice Page 6 of 6
United States Bankruptcy Court
District of New Jersey

In re:
Ibari Anaele
Debtor

Case No. 16-29746-SLM
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Oct 27, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 29, 2017.

db +Ibari Anaele, PO Box 25042, Newark, NJ 07101-7042

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 29, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 27, 2017 at the address(es) listed below:

Barry J. Roy on behalf of Trustee Jay L. Lubetkin broy@rltlawfirm.com
Denise E. Carlon on behalf of Creditor JPMORGAN CHASE BANK, N.A. dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Elizabeth K. Holdren on behalf of Creditor Goshen Mortgage LLC as Separate Trustee for GDBT I
Trust 2011-1, through Planet Home Lending, LLC as Attorney in Fact eak@hillwallack.com,
fkm@hillwallack.com;jhanley@hillwallack.com
James Patrick Shay on behalf of Creditor CALIBER HOME LOANS, INC.
james.shay@phelanhallinan.com
Jay L. Lubetkin jlubetkin@rltlawfirm.com, NJ57@ecfbis.com,lvala@rltlawfirm.com,
rgaydos@rltlawfirm.com
Jay L. Lubetkin on behalf of Trustee Jay L. Lubetkin jlubetkin@rltlawfirm.com,
NJ57@ecfbis.com,lvala@rltlawfirm.com,rgaydos@rltlawfirm.com
Stuart D. Gavzy on behalf of Debtor Ibari Anaele stuart@gavzyllaw.com,
lesliebrown.paralegal@gmail.com,sstern@gavzyllaw.com,gavzyecf@gmail.com,stuart@ecf.courtdrive.com
TOTAL: 7